

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Application of:	)		
CHO et al.	)	Art Unit:	1647
	)		
Serial No.	)	Examining Attorney:	Shulamith H. SHAFER
	)		
Filed:	)	Confirmation No.:	1687
	)		
Title:	)		
MODIFIED HUMAN	)		
FOUR HELICAL	)		
BUNDLE	)		
POLYPEPTIDES AND	)		
THEIR USES	)		

San Diego, California  
June 1, 2010

Mail Stop: AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

INFORMATION DISCLOSURE STATEMENT

Dear Sir or Madam:

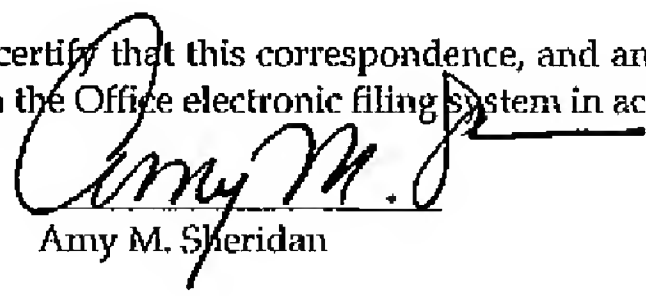
This Information Disclosure Statement (IDS) is submitted in response to the Office Action dated December 1, 2009, wherein the Examiner identified four (4) references cited in the IDS filed on April 15, 2009 and April 21, 2009 that could not be located within the instant file or the parent application. Pursuant to 37 C.F.R. §1.56 and in accordance with 37 C.F.R. §§1.97-1.98, the previously disclosed information relating to the above-identified application is resubmitted for the Examiner's consideration.

Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 C.F.R. §1.56(b).

CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence, and anything referred to as enclosed herein, is being transmitted to the United States Patent and Trademark Office via the Office electronic filing system in accordance with 37 CFR §1.6(a)(4) on the 1<sup>st</sup> day of June, 2010.

By:

  
Amy M. Sheridan

Applicant(s) reserve(s) the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

As provided for by 37 CFR 1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement. This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. This Information Disclosure Statement is filed in response to a request from the Examining Attorney and accordingly it is believed that the requirements for 37 CFR §1.97(d) do not apply in this instance.

☒ Pursuant to 37 CFR 1.98(a)(2), the content of the Information Disclosure Statement is as follows:

☐ Copies of each U.S. patent application publication and U.S. patent listed on the attached Form PTO/SB/08a are **NOT** included since the IDS is submitted for an application filed after June 30, 2003 or entered the national stage under 35 USC 371 after June 30, 2003 pursuant to 37 CFR § 1.98(a)(2)(i).

☒ Copies of the foreign patent documents and/or Non-Patent Literature listed on the attached Form PTO/SB/08a are enclosed herewith.

☐ 37 CFR 1.98(d). Copies of patents, publications and pending U.S. patent applications, or other information specified in 37 CFR 1.98(a) are not provided herewith because:

☐ Pursuant to 37 CFR 1.98(d)(1) the information was previously submitted in an information disclosure statement for another application under which this application claims priority for an earlier effective filing date under 35 U.S.C. 120

Application in which information was submitted in \_\_\_\_;  
Information Disclosure Statements filed on \_\_\_\_\_.

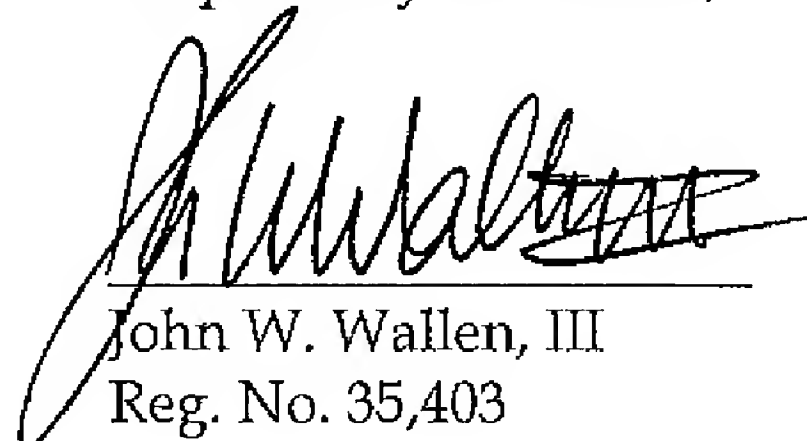
AND

☐ The Information Disclosure Statement submitted in the earlier application complied with paragraphs (a) through (c) of 37 CFR 1.98:

- ☐ There are no listed references which are not in the English language.
- ☒ 37 CFR 1.98(a)(3). This Information Disclosure Statement includes non-English language patents, patent publications and/or references.
- ☐ Pursuant to 37 CFR 1.98(3)(i), a concise explanation of the relevance of each patent, publication or other information provided that is not in English is provided herewith:
- ☐ Pursuant to MPEP 609(B), an English-language copy of a foreign search report is submitted herewith to satisfy the requirements for a concise explanation;
- OR
- ☐ The relevance of those listed references which are not in the English language is as follows:
- ☒ Pursuant to 37 CFR 1.98(3)(ii), attached are copies of written English-language translations of those listed non-English language references, or portions thereof, namely, English-language abstracts.
- ☐ Attached are copies of search report(s) from corresponding patent application(s), which are listed on the attached Submission Under MPEP 609 D.
- ☐ Attached are the following non-published pending patent applications which may be deemed relevant, which are listed on the attached Submission Under MPEP 609 D.

The Commission is hereby authorized to charge any deficiency or credit any overpayment to Deposit Account No. 50-3417.

Respectfully submitted,

  
John W. Wallen, III  
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DATE: June 1, 2010